

REMARKS

The Examiner's attention to the present application is noted with appreciation.

In the rejection of Claims 1-7, the Examiner states that Applicant's invention does not meet the standards under 35 U.S.C. § 101 because "Claim 1 generally relates to the manipulation of people", there is a "manipulation of abstract ideas on how the group interacts", that the claims "do not expressly or implicitly require performance of any of steps required for a machine", and that even though a "process is well recognized as statutory subject matter", the "subject matter be reduced to be transformed or reduced to a different state." The rejection is traversed.

As described by independent claim 1 as amended, the dependent claims and the specification, the present invention relates to a group performing an act or series of acts upon subject matter (selecting words through the use of the game apparatus identified throughout the specification, especially on page 3 line 1 through page 4 line 2), which is transformed and reduced to a different state or thing (the first set of one or more persons to generate one or more texts corresponding to the plurality of words). Further acts are performed as a result of the transformation and reduction (having a second set of one or more other persons record on or more words that one or more of the first set is likely to use in one or more of the texts).

Applicant's invention is a novel method to enhance storytelling and idea generation by having persons manipulate the game apparatus (again fully supported in the specification), whereby the participants then have to come up with stories, ideas, and other creative writing forms that are transmitted into written form (tangible use of the game apparatus), which transforms the subject matter, both the game apparatus and the information given as part of the process. The subject matter in the game apparatus itself is further transformed into a different "tangible and concrete" result because by spinning the concentric wheels of the game apparatus (see specification page 3 line 13), indicia are randomly selected, thereby creating a different subject matter with each spin of the concentric wheels.

A good example of a game process patent that was issued recently (November 5, 2002) is Looney (U.S. Patent No. 6,474,650). This game uses cards to allow players to represent "time travelers" through the game process. The present invention is every bit as concrete and useful.

Therefore, Applicant's claims 1-7 have overcome any rejections under 35 U.S.C § 101 by providing a group interaction method that manipulates a subject matter and that matter is transformed producing a number of tangible results, namely the creative written portion and the list of words expected not to be used.

The Examiner rejected claims 1-3, 6 and 7 under 35 U.S.C. § 102(b) as being anticipated by Runstein (U.S. Patent No. 4,934,711). The rejection is traversed, particularly as to the claims as amended. The device described by Runstein is a trivia and spelling game in which players use selected letters to spell words. Texts comprising at least one sentence are not generated. The present invention selects indicia not comprising merely a single letter and texts comprising at least one sentence are created. Furthermore, the present invention develops a list of words expected to be used in the texts. Runstein teaches away from this in being focused merely on the creation of words on a game board (much like Scrabble®). Therefore, because Runstein does not anticipate nor suggest Applicant's invention, claims 1-3, 6 and 7 are patentable over Runstein.

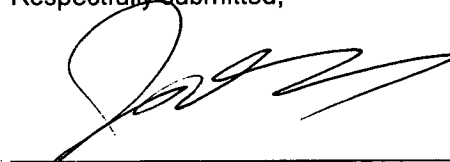
The Examiner rejected dependent claims 4 and 5 under 35 U.S.C. 103(a) as being unpatentable over Runstein (U.S. Patent No. 4,934,711) in view of Penders (U.S. Patent No. 3,640,531). This rejection is also traversed. Penders does not cure the deficiencies of Runstein noted above, merely disclosing a game that uses concentric wheels to select single letters to create words, not texts.

In view of the above remarks, it is respectfully submitted that all grounds of rejection and objection have been avoided and/or traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.

If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Respectfully submitted,

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